

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION**

No.: 5:14-cv-464 -D

IRVING FELDBAUM, Derivatively on  
Behalf of POWERSECURE  
INTERNATIONAL, INC.,

Plaintiff,

v.

SIDNEY HINTON, CHRISTOPHER T.  
HUTTER, W. KENT GEER, THOMAS J.  
MADDEN III, KEVIN P. COLLINS,  
JOHN A. MILLER, and A. DALE  
JENKINS,

Defendants,

-and-

POWERSECURE INTERNATIONAL,  
INC., a Delaware corporation,

Nominal Defendant.

**ORDER STAYING PROCEEDINGS**

Having considered the Joint Stipulation to Stay Proceedings, and good cause appearing, the Court hereby temporarily STAYS proceedings in the above-captioned case as follows:

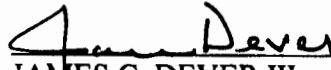
1. It is hereby ORDERED that all proceedings in this action are temporarily stayed until the final resolution of *Ash v. PowerSecure International, Inc., et al.*, Case No. 14-cv-00092-D (the "Securities Class Action").

2. Individual Defendants Sidney Hinton, Christopher T. Hutter, W. Kent Geer, Thomas J. Madden III, Kevin P. Collins, John A. Miller, and A. Dale Jenkins and nominal defendant PowerSecure shall provide to plaintiff Irving Feldbaum, subject to entry of an appropriate protective order and the other provisions of this stipulation, concurrently with any production (formal or informal) in the Securities Class Action: (i) all documents and written

responses to discovery requests produced to the plaintiffs in the Securities Class Action in the form and manner in which such documents are produced to those plaintiffs; (ii) all written agreements between the parties to the Securities Class Action that seek to define the scope of discovery; and (iii) all deposition transcripts in the Securities Class Action.

3. This order shall not be read: (a) to preclude or prevent the parties from stipulating to, or filing a motion seeking, a court order lifting, modifying or extending the terms of the stay; or (b) to serve as a waiver by any party of any rights or defenses not specifically addressed in this order, including the right to pursue formal discovery and/or file any motion any party deems appropriate, once this case is no longer stayed, including a challenge to Plaintiff's standing to pursue these claims absent a pre-suit demand.

So ordered this 26 day of November, 2014.

  
JAMES C. DEVER III  
Chief United States District Judge